



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/883,110	06/14/2001	Peter R.C. Gascoyne	UTSC:656US

CONFIRMATION NO. 7968

## FORMALITIES LETTER



\*OC000000006419538\*

FULBRIGHT & JAWORSKI L.L.P.  
A REGISTERED LIMITED LIABILITY PARTNERSHIP  
SUITE 2400  
600 CONGRESS AVENUE  
AUSTIN, TX 78701

Date Mailed: 08/13/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$228.
 

<ul style="list-style-type: none"> <li>\$108 for 12 total claims over 20.</li> <li>\$120 for 3 independent claims over 3.</li> </ul>	10/03/2001 JADD01 00000011 501212 09883110 01 FC:205 02 FC:201 03 FC:202 04 FC:203	65.00 OP 370.00 OP 126.00 OP 87.00 OP 21.00 CH
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- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 648.

A copy of this notice MUST be returned with the reply.

10/13/01 missing parts due, 3/13/02  
final deadline

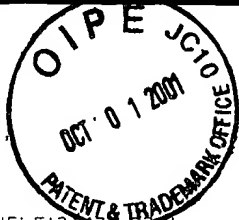
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

AUG 21 2001

UTSC:656US

DLP/SLH/mcb



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*sector 15*

September 28, 2001

FILE: UTSC:656US

**CERTIFICATE OF MAILING**  
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:

September 28, 2001

Date

*[Signature]*  
Gina N. Shishima

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, DC 20231

RE: *SN 09/883,110 "SYSTEMS AND METHODS FOR CELL SUBPOPULATION ANALYSIS" – by Peter Gascoyne, et al. (Client Reference: MDA00-036)*

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed September 27, 2001;
- (2) Declaration of Peter Gascoyne, Jody V. Vykoukal, and Frederick F. Becker;
- (3) Power of Attorney;
- (4) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;
- (5) Check in the amount of \$648.00; and
- (6) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.


Commissioner for Patents

September 28, 2001

Page 2

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10023300/MCB.

Respectfully submitted,

For  REG. NO. 45,104  
Michael C. Barrett  
Reg. No. 44,523

MCB/jle

Encl: as noted



**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Peter Gascoyne  
Jody V. Vykoukal  
Frederick F. Becker

Group Art Unit: 1741

Examiner: Unknown

Serial No.: 09/883,110

Atty. Dkt. No.: UTSC:656US/MCB

Filed: June 14, 2001

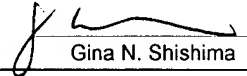
For: SYSTEMS AND METHODS FOR CELL  
SUBPOPULATION ANALYSIS

**CERTIFICATE OF MAILING  
37 C.F.R. 1.8**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:

September 28, 2001

Date

  
Gina N. Shishima

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION FILED UNDER 37 C.F.R. 1.53(b)**

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Under 37 C.F.R. § 1.53(b), dated August 13, 2001, there are enclosed herewith:

- (a) Declaration executed on behalf of Peter Gascoyne, Jody V. Vykoukal, and Frederick F. Becker;
- (b) A Power of Attorney on behalf of Board of Regents, The University of Texas System;


- (c) Our check in the amount of \$648.00 to cover the basic filing fee (\$355 - utility small entity); surcharge for late filing (\$65.00); additional claims fee (\$228.00); and
- (d) A copy of Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. 1.53(b)-Filing Date Granted.

An Assignment to Board of Regents, The University of Texas System and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10023300/MCB.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,

  
REG. NO. 45,104  
Fot Michael C. Barrett  
Reg. No. 44,523  
Attorney for Applicants

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(512) 474-5201

Date: September 28, 2001